IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 22356 of 2007(J)

PETITIONER:

KURIAN JEROME
MALAYIL; VADAKKETHIL, PRAYIKKARA MURI,
MAVELIKARA VILLAGE,
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER,
JIGY JEROME,W/O. KURIAN JEROME
MALAYIL VADAKKETHIL HOUSE,PRAYIKKARA MURI.

BY ADV. SRI.RINNY STEPHEN CHAMAPARAMPIL

RESPONDENTS:

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1. STATE OF KERALA
REPRESENTED BY REVENUE SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. DISTRICT COLELCTOR,
COLLECTORATE, ALAPPUZHA.

3. TAHSILDAR, TALUK OFFICE,
MAVELIKARA.

4. VILLAGE OFFICER,
VILLAGE OFFICE, MAVELIKARA,

5. ROHINIMONY,
DWARAKAYIL HOUSE,
KOTTAKAKOM, MAVELIKARA.

Addl.R6: THE REVENUE DIVISIONAL OFFICER,
R.D.O. OFFICE, CHENGANNOOR
(IMPLEADED AS ADDL. RESPONDENT NO.6 AS PER ORDER
DATED 26.7.07 IN I.A.10097/07)

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. Siri Jagan, J.

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W.P(C) No. 22356 of 2007

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Dated this, the 26th July , 2007.

J U D G M E N T

The petitioner has been served with Ext.P7 order by which the petitioner has been directed to vacate the properties mentioned therein within seven days. The contention of the petitioner is that against Ext.P7, the petitioner has filed Ext.P9 appeal as well as Ext.P11 stay petition. The petitioner's grievance is that even before the petitioner could approach the additional 6th respondent to move the stay petition, the Tahsildar is taking steps to evict the petitioner from the property in question. The petitioner, therefore, seeks a direction to respondents 2 to 4 not to take further action pursuant to Ext.P7 pending disposal of Ext.P9 appeal.

2. I have heard the learned Government pleader also. I find that the petitioner has already moved the R.D.O for stay of further proceedings pursuant to Ext.P7 by filing Ext.P11 stay petition. In the above circumstances, I dispose of this writ petition directing the additional 6th respondent to consider and pass orders on Ext.P9 appeal filed by the petitioner as expeditiously as possible. The additional 6th respondent shall also dispose of Ext.P11 stay petition. Till disposal of

the stay petition further proceedings pursuant to Exts.P7 and P8 shall stand stayed.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE.

Acd/

/True copy/

P.A. to Judge